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NEGLIGENCE.

Carriers—Contributory Negligence.—*Warfield v. N. Y., L. E. & W. R. R. Co.*, 40 N. Y. Supp. 785. A person who is crossing a track at a station in order to board a train standing on another track is not obliged to observe the rule requiring a traveler on a highway which crosses a railroad to look and listen for approaching trains before crossing. Also a railroad company must exercise due diligence to warn people of the approach of trains such as by stationing an employee on the end of the train, blowing the whistle or ringing the bell.

Negligence—Who May Recover.—*Glenn v. Winters*, 40 N. Y. Supp. 659. The defendant let a defective coach to a social club for a day's excursion. The plaintiff, a guest of the club, had been invited to join the party and was injured by the overturning of the coach. The defendant was as liable to a guest of the club for a breach of duty in not furnishing a reasonably safe vehicle as to a member of the club itself.

Proximate Cause—Negligence.—*Enochs v. Pittsburgh, C. C. and St. L. Ry. Co.*, 44 N. E. Rep. 658 (Ind.). That a railway company negligently blocks up a street crossing so that a pedestrian, who is in a hurry, is obliged to pass around the train by an unusual route and in the dark, and in so doing sustains serious injury by falling over a misplaced stone, does not render the railway company liable, on the ground of proximate cause.

MISCELLANEOUS.

Australian Ballot Law—Ballots.—*Jennings v. Brown*, 46 Pacific Rep. 77 (Cal.). Voters wrote the party designation "Independent Democrat" upon the ballot in addition to the name of party voted for. Held, that this does not mark the ballot so as to constitute a distinguishing mark and hence does not invalidate the ballot.

Carriers—Fare—Legal Tender—Ejectors of Passenger.—*Atlanta Consol. St. Ry. Co. v. Keeny*, 25 S. E. Rep. 629 (Ga.). Conductor refused to receive a genuine half-dollar of the United States, because he in good faith thought it was a counterfeit. Held, that this does not exempt the company from liability for his ejecting the passenger for not paying fare with another coin.

Cities—Liability for Taxes Illegally Exacted—Payment under Threat of Arrest.—*Neumann v. City of La Crosse*, 68 N. W. Rep. 654 (Wis.).